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UNITED STATES DEPARTMENT OF AGRICULTURE
BUREAU OF AGRICULTURAL ECONOMICS
Division of Land Economics

BULLETIN OF FEDERAL AND STATE LEGISLATION AFFECTING LAND USE

Bulletin 37

March 24, 1938, to April 7, 1938

(Primarily for the use of the Land Use Planning Personnel of the Bureau of Agricultural Economics and collaborating offices and agencies)

Current Legislative Sessions

	<u>Convened</u>	<u>Adjourned</u>
Arkansas (Special Session)	March 10, 1938	March 26, 1938
California (Special Session)	March 7, 1938	
Georgia (Special Session)	November 11, 1937	February 13, 1938
Kansas (Special Session)	February 7, 1938	
Kentucky	January 4, 1938	March 1, 1938
Kentucky (Special Session)	March 2, 1938	
Massachusetts	January 5, 1938	
Mississippi	January 4, 1938	
New Jersey	January 11, 1938	Recessed March 29
New York	January 5, 1938	March 19, 1938
Ohio (2nd Special Session)	November 29, 1937	March 4, 1938
Rhode Island	January 4, 1938	
South Carolina	January 11, 1938	
Virginia	January 12, 1938	March 22, 1938

I. FEDERAL LEGISLATION

BANKING AND CREDIT

H. R. 9839. Mr. Steagall. To Committee on Agriculture, March 11.

To extend for one additional year the $3\frac{1}{2}\%$ interest rate on certain Federal land-bank loans, establish a 4% interest rate on such loans for the period July 1, 1939, to June 30, 1940, and provide for a 4% interest rate on Land Bank Commissioner's loans for one additional year.

H. R. 9850. Mr. Lemke. To Committee on Agriculture, March 14.
S. 3679. Mr. Gillette. To Committee on Banking and Currency, March 17.

To extend for two additional years the $3\frac{1}{8}\%$ interest rate on certain Federal Land-Bank loans, establish a 4% interest rate on such loans for the period July 1, 1938, to June 30, 1941, and provide for a 4% interest rate on Land-Bank Commissioner's loans for a period of two years.

FLOOD CONTROL

H. R. 9877. Mr. Englebright. To Committee on Flood Control, March 15.

To authorize a preliminary survey and examination by the Secretaries of Agriculture and War of the North Fork of the Yuba River for flood control, run-off and waterflow retardation and soil erosion prevention in accordance with the provisions of the Flood Control Act of 1936 (Public 738-74th Congress).

TENANCY

H. R. 9914. Mr. Wood of Missouri. To Committee on Agriculture, March 17.

To amend the Farm Tenant Act (Public 210-75th Congress, Sec. 6) to increase the authorized appropriation for the tenancy provisions for the fiscal year ending June 30, 1939, from \$25,000,000 to \$200,000,000.

II. STATE LEGISLATION

LAND USE

Mississippi. H. B. 975. Mr. May. To Conservation Committee, March 10.

To encourage and assist land owners to terrace and ditch their agricultural lands properly and cooperate with the Federal Government in soil erosion work. The State Conservation Committee shall, upon written application of the owners of land aggregating 7500 acres, appoint a soil erosion committee for such county. This committee shall cooperate with the county agent in soil erosion activity within the county, and with all agencies of the state or federal Government engaged in the prevention of soil erosion; recommend to the Board of Supervisors the purchase of proper machinery and supplies for ditching and terracing; approve contracts or agreements by the Board of Supervisors for the labor to operate such machinery; approve the costs to landowners for the work performed and supervise such performance; and make recommendations to the Board of Supervisors of necessary taxes to maintain a soil erosion fund to finance such operations. Contracts for work on lands may not be approved or performed unless taxes are paid up to date. Provision is made that in the event the Board of Supervisors fail to advertise for bids to purchase machinery the committee may call a special election; and a favorable vote by the electorate would be a mandate for the Board to proceed. Costs of performing soil erosion work are to be assessed against the property as an improvement tax.

Mississippi. H. B. 1033. Mr. Dees. To Local and Private Committee, March 16.

To encourage the prevention of soil erosion in Stone County. The State Forester and the Directors of the State Extension Service and of the Agriculture Experiment Station are authorized, upon petition of five or more owners of land covering not less than 7500 acres, to appoint for Stone County a soil erosion committee of three members who shall cooperate with and assist the County Agent and State and Federal agencies in obtaining contracts from land owners for terracing or ditching agricultural lands. The Committee shall also recommend to the Board of Supervisors, subject to its approval, the purchase of machinery and equipment for such work, approve contracts of the Board of Supervisors for labor, approve rates owners pay for such work, supervise performance of the contracts, audit the soil erosion funds of the County, and recommend necessary taxes to maintain the fund. Details of the contracts are prescribed, and payments thereon are to be made in toto or four equal annual installments with 6% interest, collected by the tax collector. If the Board of Supervisors fail to advertise for bids for the purchase of machinery and equipment the Committee shall upon petition hold an election; and if the vote be favorable, the Board of Supervisors is required to make the purchases.

Identical bills were introduced as follows:

- H. B. 896, for Harrison County.
- H. B. 905, for Newton County.
- H. B. 913, for Kemper County.
- H. B. 919, for Claiborne County.
- H. B. 927, for Clark County.
- H. B. 945, for Lamar County.
- H. B. 948, for Jefferson Davis County.
- H. B. 951, for Lauderdale County.
- H. B. 953, for Forrest County.
- H. B. 957, for Leake County,
- H. B. 958, for Jones County.
- H. B. 959, for Winston County.
- H. B. 967, for Simpson County.
- H. B. 971, for Green County.
- H. B. 999, for Lowndes County.

Mississippi. S. B. 546. Mr. Barnett. To Finance Committee, March 10.

To authorize the Soils Department of the Experiment Station to cooperate with the United States Bureau of Chemistry and Soils for the completion annually of a soil survey of one county in the State. Ten thousand dollars is to be appropriated for the State's share of the expenses.

Mississippi. S. B. 581. Mr. Pittman. To Committee on Agriculture, March 17.

To authorize counties to finance and cooperate in making and publishing a soil survey and land classification.

Mississippi. S. B. 601. Mr. Pittman. To Committee on Agriculture, March 18.

To authorize county boards to issue bonds to finance the cost of machinery and equipment to aid soil conservation districts and agricultural associations in the control of soil erosion. A tax sufficient to pay the principal and interest is to be levied, and all revenues from the use or operation of the machinery and equipment shall be paid into a fund created for the purpose of retiring the bonds.

Virginia. S. B. 127. Approved March 12.

To require the State Highway Commission in its improvement of highways to make suitable connections at points of intersection so as to provide safe and convenient means of ingress and egress to the highways by the users of private roads. Entrances destroyed in the process of repair and construction are to be replaced to the same condition as prior to improvement.

PLANNING

Virginia. H. B. 110. Mr. Moore. Approved March 8, 1938.

To create a State Planning Board of 12 members (eight to be chosen from administrative departments, one from the agriculture department of Virginia Polytechnic Institute and three citizens not holding any state office), appointed by the Governor. The Board shall collect and correlate information relating to the development of the state and the conservation of its human and other natural resources. The Board shall also prepare a synopsis of planning work already accomplished in the State, including reports and plans of federal, state and local agencies. It shall advise with State departments to coordinate all development plans, make plans for a State land utilization program, encourage and aid in the organizing of local and regional planning boards, and cooperate with local, federal and other state planning agencies.

PUBLIC FINANCE

Kentucky. H. B. 12-X. Mr. Milam. March 16.

To assist counties to repay financial obligations. A Commission is created in the State Department of Revenue for the purpose of investigating and supervising the financial administration, accounts and operation of county government. The counties are to be assisted in meeting payments on defaulted debts (with due regard for the interests of bondholders), in creating sinking funds to repay such debts, and in issuing or exchanging debentures.

Kentucky. H. B. 18-X. Mr. Connett. Introduced March 18.

For the purpose of providing financial assistance to the counties, a state "real and personal tax of 25¢ valuation" is to be levied for the next two years, one half to "be distributed to the counties as to the relation of their areas and one half as to the relation of the bonded indebtedness of each county to its assessed valuation". The money so distributed is to be used to pay off debts and, if there be no debts, it is to be used for road purposes.

PUBLIC LANDS AND FORESTS

Arkansas. S. B. 47-X. Mr. Milum. Introduced March 24.

To authorize the State Forestry Commission to release lands (set aside by proclamation under authority of Laws of 1935, Acts 57 and 181) deemed unsuitable for forestry purposes, to be opened for sale by the State Land Commissioner.

Mississippi. H. B. 933. Mr. Draughn. To Conservation Committee, March 11.

To regulate the cutting or working for naval stores of trees, in order to perpetuate the forest products industries. Specific practices and regulations are established, with penalties for violations.

Mississippi. H. B. 985. Mr. Henley. To Public Land Committee, March 11.

To transfer control of tax reverted lands from the state to the respective counties. Administrative procedures are set forth to effect the change. The Boards of Supervisors are directed to make rules and regulations for the control, sale, lease or rental of the lands, preference to be given sales to former owners. All receipts from sales or rentals are to be divided equally between the State and County.

Rhode Island. H. B. 908. Mr. Meade. To Judiciary Committee, March 16.

To authorize the Chief of the Division of Forests with the approval of the Director of Agriculture and Conservation to enter into cooperative agreements with the Federal Government for the promotion of public woodlots and the marketing of forest products, the proceeds to be covered into the forestry fund. Land may be purchased for state forests. Profits from the sale of forest products produced by the Civilian Conservation Corps are to be shared with the United States.

South Carolina. H. B. 2197. Mr. Lofton. Introduced March 18.

To provide for the formation and management of a County Forest Fire Control Organization for the purpose of providing for the protection of forest lands, promoting reforestation on denuded and under stocked and submarginal areas, and aiding in the enforcement of laws pertaining to forestry, in Charleston County.

South Carolina. H. B. 2193. Chester County Delegation, March 17.

To provide for the formation and management of a County Forest Fire Control Organization for the purpose of providing for the protection of forest lands, promoting reforestation on denuded and under stocked and submarginal areas, and aiding in the enforcement of laws pertaining for forestry, in Chester County.

REAL PROPERTY

Mississippi. H. B. 152. Messrs. Leggett and Brown. Approved March 16.

To grant relief from inequitable foreclosures of mortgages, by the establishment of a procedure in lieu of foreclosure whereby, for a period of two years, all or a reasonable part of the income or rental value, as determined by the court, shall be paid toward upkeep of the property; taxes, insurance, and interest on the mortgage, at times and in the manner fixed by the court. After the expiration of two years, if the principal and any past due interest, taxes, etc., have not been paid, a final order of sale may be made.

Mississippi. H. B. 1027. Mr. McGowan. To Judiciary Committee B. March 15.

To establish procedures for the service of notice by land lords upon tenants prior to bringing suit for removal.

TAXES

Massachusetts. H. B. 1752. By Committee on Taxation, March 18.

To create a commission to survey and study the laws relating to the collection of taxes with a view to making improvements. A report with drafts of necessary legislation is to be made to the legislature by the first Wednesday in December.

Mississippi. H. B. 1007. Mr. May. To Public Lands Committee, March 15.

Every forfeited tax land patent or contract for sale of forfeited tax lands heretofore or hereafter issued, conveying or contracting to convey the title to any forfeited tax lands, shall be void unless such forfeited tax land patent or contract is filed for record in the office of the Chancery Clerk of the county where the land is situated, within six months after this act becomes effective as to such patents or contracts heretofore issued, and within six months after the date of such patent or contract as to patents and contracts hereafter issued, provided that this act shall not apply to patents issued prior to January 1, 1932. The failure of patentees, or their assigns to file any such patent or contract, as required by Section 1 of this act, shall extinguish all right, title and interest of the patentee or contractee, and their assigns, in the land for which such patent or contract is issued and shall escheat and vest the title in the State in fee simple.

Mississippi. S. B. 134. Approved March 22.

To authorize the State Tax Commission or any taxing unit to negotiate an agreement with the United States for payment for sums in lieu of taxes (under authority of Public 845-74th Congress) on lands acquired by the United States for rural rehabilitation or resettlement projects.

Mississippi. S. B. 583. Mr. Woems. To Drainage Committee, March 17.

To provide that the owner or other person liable for drainage taxes on any land within a drainage district, or who is entitled to redeem any land situated in a drainage district which has been sold to the State or drainage district for delinquent taxes due and unpaid, may pay the amount of such drainage taxes or redeem such land from such tax sale with bonds or interest coupons of such drainage district; provided, such bonds or interest coupons are due and payable at the time they are offered in payment of taxes or in redemption of such land. All other taxes, interest and costs must be paid in money.

South Carolina. H. B. 2186. Mr. Leppard. To Ways and Means Committee, March 17.

To amend the law relative to the collection of delinquent taxes (Sec. 2830, Vol. II, Code of 1932, as amended by Laws 1936, Act 717) empowering the Boards of County Commissioners to promulgate a plan, upon approval by the County Treasurer, whereby all delinquent taxes may be paid in installments (monthly or annual) upon equitable terms to all taxpayers of the county.

South Carolina. H. B. 2217. By Ways and Means Committee, March 23.

To amend the Constitution (Sec. 6, Art. XI) to eliminate the three mill property tax or other property tax for school purposes.

WATER

Mississippi. H. B. 998. Mr. Bacon. To County Affairs Committee, March 14.

To authorize county Boards of Supervisors to cooperate in the Federal flood control program by providing (free of cost) lands, easements and rights of way necessary for project construction, and to operate such flood works after completion in accordance with regulations prescribed by the Secretary of War. The Boards may acquire any necessary land by gift or eminent domain.

H. A. HOCKLEY

